GOVERNMENT OF ANDHRA PRADESH
ABSTARACT

Home Department - Prosecution – Sanction under Section 199 (4) (b) of the Code of Criminal Procedure, 1973 for filing complaint by the Public Prosecutor in a competent court of law against the Editor and others of Eenadu Newspaper for publishing baseless allegations against the Crime Investigation Department (CID), Andhra Pradesh – Accorded - Orders – Issued.

HOME (LEGAL-II) DEPARTMENT

G.O.Rt.No.742 **Dated:03.07.2023**

Read the following:

1. "మార్గదర్శిపైభారీకుట్ర" జాతీయస్థాయిలో బురదచల్లేందుకు దిల్లీలో ఏపీ సీఐడీ చీఫ్ విలేకర్ల సమావేశం కుంభకోణం జరిగిపోతోందంటూ అడ్డగోలు ఆరోపణలు ఎంతమోసం జరిగిందని ప్రశ్నిస్తే నీళ్లునమిలిన వైనం caption in the headlines published on 13.04.2023 in Eenadu Telugu Daily Newspaper, Guntur.
2. G.O.Rt.No.938, G.A(Poll.D) Department, Dated:20.02.2007.
3. G.O.Rt.No.2430, G.A(I&PR) Department, Dated:30.10.2019.
4. From the Additional Director General of Police, CID, Andhra Pradesh, Letter C.No.5706/C13/ CID-AP/EPW/2023, dated:30.06.2023.

ORDER:

In the reference 1st read above, false news item has been published in the Eenadu News Paper with the Caption "మార్గదర్శిపైభారీకుట్ర" జాతీయస్థాయిలో బురదచల్లేందుకు దిల్లీలో ఏపీ సీఐడీ చీఫ్ విలేకర్ల సమావేశం కుంభకోణం జరిగిపోతోందంటూ అడ్డగోలు ఆరోపణలు ఎంతమోసం జరిగిందని ప్రశ్నిస్తే నీళ్లునమిలిన వైనం in the headline published on 13.04.2023, which is libelous, scandalous, untruthful, unfounded, per se defamatory, derogatory news.

2. It was alleged in the said newspaper that, the article starts with "MARGADARSI PYE BHARI KUTRA" which indicates that the investigating agency had unveiled a big conspiracy. The caption of the article starts with a vituperation that as if the Andhra Pradesh, CID unveiled a big conspiracy to destroy its economic foundations which is a calumnious statement. The unchecked nefarious activity of the accused which continued for decades was sought to be controlled and corrected by the investigating agency in the public interest and efforts of the investigation agency was attempted to be hampered with the might of all the resources, mainly with their media power. Though so many illegalities were found during the inspections, but it was so depicted in the said article that they are the dew-drenched pearls despite the fact that so many irregularities surfaced during the investigation. But the Accused resorted to deter the CID, AP and tried to infuse fear psychosis into their minds with the publication of such a derogatory, defamatory, venomous news item with a bad faith for their own good and further to erode the esteem with which it was being held by the public.

3. The accused had intended and had reason to believe that the imputations made by them to harm the reputation of the CID and would cause injury to the reputation of the CID.

Contd.P.2.

i. That the news published in Eenadu Telugu Daily Newspaper is factually incorrect and leads to misconception in the minds of the public and it has failed to present the true facts with regard to the investigation taken up by CID against MCFPL, despite being aware of the fact that, the CID investigating all the cases duly following the procedure established by Law.

ii. Further, the newspaper contains several false allegations and statement and is based on wholly erroneous understanding and interpretation of the facts relating to the investigation carried out by the CID, which has caused enormous prejudice to the CID and affected and damaged the reputation and integrity in the eyes of the public. After considering the above facts, it is evident that a deliberate act to tarnish the image of the CID by publishing false news article which read as whole is per se defamatory in nature, and the same was published without factually ascertaining the truth before publishing the same.

4. After having examined the matter with reference to above mentioned subject matter and with reference to the orders issued in G.O. 2nd and 3rd read above, wherein powers have been delegated to the Secretaries of respective department to issue rejoinders, file complaints and lodge appropriate cases, under sub section (4) of section 199 Cr.P.C., if need be, through Public Prosecutor against defamatory news items published/telecast/ posted in print/electronic/social media pertaining to their respective Departments after following due procedure, Legal action is being taken against the concerned

5. In exercise of the powers conferred under Section 199 (4) (b) of the Code of Criminal Procedure, 1973, hereby accord sanction to the concerned Public Prosecutor to make a complaint before the competent Court against the following individuals for publishing Defamatory, Derogatory and Venomous news which is devoid of truth published in Eenadu News paper dated.13.04.2023 Guntur Edition with the caption "మార్గదర్శిపై భాంబీకుట్ర".

i. Ushodaya Enterprises Pvt. Ltd., Represented by CH. Ramoji Rao, Director, Hyderabad.
ii. Cherukuri Kiran, Managing Director, Ushodaya Enterprises Pvt. Ltd., Hyderabad.
iii. Smt. Cherukuri Sailaja Kiran, w/o. Cherukuri Kiran, Managing Director of Margadarsi Chit Fund Pvt. Ltd., Hyderabad.
iv. M. Nageswara rao, Editor and Publisher Ushodaya Enterprises Pvt. Ltd,. Survey No.393/1, Door No.108-6, Putturu Village, Guntur Rural Mandal, Guntur Dist., Pin-522005.
v. Nannapuneni Viswaprasad, Chief of the news bureau, Eenadu, Hyderabad.
vi. M.Narasimha reddy, Bureau chief, Hyderabad, Telangana State.
vii. Kanaparthi Srinivas, Bureau Chief, Andhra Pradesh.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Public Prosecutor concerned.

Contd., P.3

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Copy to:
The State Public Prosecutor, High Court of Andhra Pradesh.
The Director General of Police, Andhra Pradesh, Mangalagiri.
The Additional Director General of Police, CID, Andhra Pradesh, Mangalagiri.
The Law Department, AP Secretariat.
The PS to Minister for Home and Disaster Management.
The PS to Prl. Secretary to Govt.(Home)
SF/SC.

//FORWARDED:: BY ORDER//

R. Jaya Lalli
SECTION OFFICER